

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.
10/549,831

Filing Date:
September 16, 2005

Applicants:
Maria Kavallaris et al.

Title: DETERMINING DRUG RESISTANCE

Attorney Docket No. 69544-2

Confirmation No. 2175

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO CORRECT INVENTORSHIP IN PATENT APPLICATION
(UNDER 37 C.F.R. § 1.48(a)(1))

1. This petition is to correct the incorrect original naming of inventor(s) in the above-identified application under 37 C.F.R. § 1.48(a) as set forth and filed on September 16, 2005
2. Addition and/or Deletion of Inventor(s)

(check and complete all applicable items)

☒ Add the following previously unnamed person(s) as inventor(s) of this application:
Nicole M. Verrills

☐ Delete the following previously incorrectly named inventor(s) _____

3. Attachments

Attached is

(a) A statement from:

(check items below that apply)

☒ each person being added as an inventor that the error in inventorship occurred without deceptive intent on his or her part. 37 C.F.R. § 1.48(a)(1).

☐ each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).

(b) a declaration by each of the actual inventor(s) as required by 37 C.F.R. § 1.63 (or as permitted by §§ 1.42, 1.43, OR 1.47). 37 C.F.R. § 1.48(a)(2).

(c) written consent by the assignee *(if any of the original inventors executed an assignment)*. 37 C.F.R. § 1.48(a)(4).

(d)

(check the following item, if all the inventor(s) remaining after this petition and amendment is accepted are not the inventor(s) of the subject matter of all the claim(s) now being claimed.)

☐ Attached is an explanation of the facts, including the ownership of all the claim(s) being claimed in this application, including ownership of all the claim(s) at the time the last claimed invention was made (Declaration of Inventorship and Common Ownership of Claims in Application).

4. Fee Payment (37 C.F.R. § 1.17(i))

The fee required is paid as follows:

- ☐ Enclosed is a check for \$130.00
- ☐ Charge Account _____ for any fee deficiency.
- ☒ Charge Account 04-0258 the sum of \$130.00


SIGNATURE OF PRACTITIONER

SETH D. LEVY

(type or print name of practitioner)

DAVIS WRIGHT TREMAINE LLP

865 S. Figueroa Street, Suite 2400

Los Angeles, California 90017-2566

P.O. Address

Reg. No.: **44,869**

Tel. No.: (213) 633-6800

Fax No.: (213) 633-6899

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Practitioner's Docket No.

69544-2

PATENT

Serial No. 10/549,831

Filing Date: September 16, 2005

Title: DETERMINING DRUG RESISTANCE

Applicants: Maria Kavallaris et al.

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**Statement Of Non-Deceptive Intent By Person Being Added
By Petition To Change Inventorship In Patent Application
(37 C.F.R. 1.48(a))**

I, the person who is being added as an inventor by the petition being submitted to correct the inventorship of this patent application, do hereby declare that the inventorship error in failing to include my name as an inventor on this patent application occurred without any deceptive intention on my part.

Nicole M. Verrills

Type name of inventor being added



Signature

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)****Title of
Invention****DETERMINING DRUG RESISTANCE**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/549,831 filed on September 16, 2005
- ☐ As amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)Inventor one: MARIA KAVALLARISSignature: Citizen of: AUSTRALIAInventor two: NICOLE M. VERRILLSSignature: Citizen of: AUSTRALIA

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Practitioner's Docket No.

69544-2

PATENT

In re application of: Maria Kavallaris et al.

Serial No.: 10/549,831

Filed: September 16, 2005

For: DETERMINING DRUG RESISTANCE

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**ASSENT OF ASSIGNEE TO CORRECTION
AND/OR ADDITION OF INVENTOR(S)**

Children's Cancer Institute Australia for Medical Research

(type or print name of assignee)

High Street, Randwick, New South Wales 2031, Australia

Address

Assignment

☒

recorded on November 27, 2006

☐

Reel 018551

☐

Frame 0676

☐

recorded herewith

☐

a separate
attached

☐

"ASSIGNMENT" (DOCUMENT) COVER SHEET is

or

☒

FORM PTO 1595 is attached.

Assignee hereby assents to the correction of inventorship filed

☒

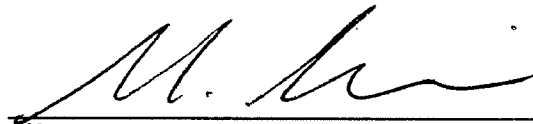
herewith.

☐

on

ASSIGNEE CERTIFICATION

A "STATEMENT UNDER 37 C.F.R. § 3.73(b)" is attached.



Signature

PROF. MURRAY NORRIS

(type or print name and title of person authorized to sign on behalf of assignee)

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: MARIA KAVALLARIS ET AL.Application No./Patent No./Control No. 10/549,831 Filed/Issue Date September 16, 2005Entitled: DETERMINING DRUG RESISTANCE**CHILDREN'S CANCER INSTITUTE AUSTRALIA
FOR MEDICAL RESEARCH**

(Name of Assignee)

, an independent medical research institute

(Type of Assignee: corporation, partnership, university, government agency, etc.)

States that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 018551, frame 0676, or a true copy of the original assignment is attached.

OR

- B. ☐ A chain of title from the inventor(s) of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.


Signature

17/11/06
Date

PROF. MURRAY NORRIS
Printed or Typed Name

61 (02) 9382 1829
Telephone Number

DEPUTY DIRECTOR
Title